

**MINUTES  
FOR THE REGULAR MEETING  
CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD  
Docket No. 5427**

## 1. Opening of Meeting:

The Appeals Board convened at 10:30 a.m., December 10, 2002, in Pasadena, with Chair Cynthia K. Thornton presiding.

## 2. Roll Call: Members

## Present

**Absent**

Cynthia K. Thornton, Chair

**X**

Miller Medearis, Vice Chair

**X**

Ruben S. Ayala

**X**

Jack Cox

**X**

Elihu M. Harris

**X**

Don L. Novey

x (via phone)

### 3. Approval of the Minutes:

The November Board meeting minutes were approved by all members.

#### 4. Chair's Report:

Chair Thornton dedicated the meeting to Member Ayala, who is retiring at the end of the year. Chair Thornton presented Member Ayala with a plaque and expressed appreciation on behalf of her and the Agency for Member Ayala's fine work and support during his term in office.

Chair Thornton reported that she and Chief ALJ/Executive Director Jay Arcellana met with staff of the San Francisco Office of Appeals, and attended a meeting of the Planning and Program Management Branch.

**5. Chief Administrative Law Judge/Executive Director's Report:**

Chief ALJ/Executive Director Jay Arcellana announced that the Presiding Judges were busy interviewing and making hiring decisions for the twelve ALJ positions we have been granted permission by the Department of Finance to fill. To date we have hired one judge each in Oakland, San Jose, San Diego, and three in Inland. Additional hires are expected in other offices. As stated, we are moving as quickly as we can on these hires because there is concern that with the continued budget crisis it will be exceedingly difficult to obtain any additional authority to hire, and unfilled positions could be lost.

Chief ALJ/Executive Director Jay Arcellana reported that he hopes to meet next week with the Department of Personnel Administration to discuss the Agency's

request for an additional 5% salary for ALJs in recognition of the on-going heavy workload.

The Agency is preparing requested data for the Department of Labor for purposes of the Resources Justification Plan. This is the information that DOL will be using two years hence to determine the extent of the Board's funding when the new federal budget methodology will be implemented.

## **7. Branch Reports:**

**a.** Deputy Chief ALJ Julie Krebs, Appellate Operations Branch, reported that Appellate Operations has again met all three time lapse standards for the preceding month. Appellate Operations also continues to loan ALJs to Field Operations, particularly to the Sacramento Office of Appeals.

**b.** Deputy Director Pam Boston, Administrative Services Branch, reported that work on the Agency's Intranet site is almost complete, and that it would be presented at the next Board meeting.

**c.** Deputy Director Mary Walton-Simons, Planning and Program Management Branch, reported that her branch would be sending four software trainers into the field to provide XP software training on the new XP operating system.

Deputy Director Mary Walton-Simons also followed up on the discussion regarding other states' practices from the last Board meeting, advising the Board that 26 states now employ the Central Panel concept, although most treat UI cases separately and preserve the federal funding apart from other state funds. Many states also have automated central calendaring, and utilize a grid system for scheduling cases in one-hour blocks. The state of Ohio has evening calendars.

Chief ALJ/Executive Director Jay Arcellana mentioned that the Agency has funding requests pending with DOL for digital recording of hearings and for automated calendaring.

At the conclusion of Deputy Director Mary Walton-Simons' report, Member Harris reminded Chief ALJ/Executive Director Jay Arcellana that he had forgotten to give a report in his position as Chief of the Field regarding time lapse. Chief ALJ/Executive Director Jay Arcellana apologized and reported that the field was still not making any of the three time lapse standards; but for the first time in a year they were holding even, issuing as many decisions as there were new cases registered, and that once the new hires were made and trained, they expected to start making even better inroads on the backlog.

Member Harris asked if Chief ALJ/Executive Director Jay Arcellana was looking at any other options for attacking the backlog. Chief ALJ/Executive Director Jay Arcellana advised that he had instructed the P&PM Branch to start reviewing each office to look for any greater efficiencies that could be obtained, and noted that it is the larger offices who seem to have the most difficulty liquidating the workload.

Member Ayala asked which offices were experiencing the largest caseload, to which Chief ALJ/Executive Director Jay Arcellana advised that it was San Jose and San Francisco.

Member Harris asked about better utilization of the time vacated by parties who withdraw or fail to appear. Chief ALJ/Executive Director Jay Arcellana advised that the Agency does presently attempt to “plug” in other cases when there is enough notice, as with a withdrawal, but has not done so in nonappearance situations since they occur without notice. Deputy Director Mary Walton-Simons noted here that some other states fill nonappearance time slots with single party cases. Chief ALJ/Executive Director Jay Arcellana also noted that Texas over-schedules cases to deal with this problem, which is feasible for them since all of their hearings are by phone.

**8. Chief Counsel’s Report:**

Chief Counsel Ralph Hilton summarized his two written reports concerning the court cases and Board member workload. The Agency had been served with five new cases in November, and closed four cases, three of which affirmed the Board’s decisions. The Board’s workload in November decreased somewhat from the peak that occurred in October.

**9. Unfinished & New Business:**

None scheduled.

**10. Public Comment:**

PALJ Irene Server presented Member Ayala with a token of their appreciation for his service with the Board.

**11. Closed Session:**

The regularly scheduled Board meeting adjourned, and the Board went into closed session. No votes were taken on any matters in closed session.